

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

JESUS R. SANCHEZ,)
)
 Plaintiff,)
) No.: 2:11-cv-02548
 v.) Judge S. Thomas Anderson
) Magistrate Judge Charmiane G. Claxton
 VERIFIED PERSON, INC.,)
)
 Defendant.)
)

JOINT REPORT PURSUANT TO RULE 26(F) OF THE
FEDERAL RULES OF CIVIL PROCEDURE

Counsel for Plaintiff and counsel for Defendant participated in a Rule 26(f) conference on September 27, 2011, via telephone conference, and agreed, as follows:

1. Initial Disclosures: The parties anticipate completing Rule 26(a)(1) initial disclosures 14 days after the Rule 16(b) conference (scheduled for October 12, 2011), or on or before October 26, 2011.
2. Discovery Plan: The parties propose the following discovery plan, subject to approval by the court of the parties Joint Proposed Scheduling Order:
 - a. Bifurcation: Due to the complex nature of this case and issues related to class certification, the parties seek the bifurcation of discovery related to class certification issues. The parties agree that merits discovery shall not commence until after the Court has ruled on a motion by Plaintiff for class certification. The parties further agree to a supplemental scheduling conference with respect to merits discovery after the court's ruling with respect to class certification.

- b. Class Certification Discovery: Fact discovery related to class certification issues shall be for a period of five months, completed by March 12, 2012. These class certification issues will include numerosity, commonality, typicality and adequacy of representation.
 - c. Expert Witnesses related to class certification: Plaintiff shall disclose Rule 23 expert witnesses and provide those reports on or before April 12, 2012. Defendant shall depose plaintiff's Rule 23 expert witnesses on or before May 11, 2012 and provide a Rule 23 expert witness report on or before May 11, 2012. Plaintiff shall depose Defendant's Rule 23 witnesses on or before June 10, 2012.
 - d. Rule 23 Motion: Plaintiff's Rule 23 Motion shall be filed on or before June 30, 2012. Defendant may file a response within 30 days of the date from which Plaintiff's motion is filed. Plaintiff may file a Reply within 15 days of the date on which the Response is filed.
 - e. Electronic Discovery: Disclosure of discovery of electronically stored information will be handled by producing electronically stored information in electronic form. Counsel have discussed the categories of electronically stored information that may be the subject of discovery and are making efforts to determine the accessibility of such information.
 - f. Inadvertent Production of Privileged Documents: If privileged or protected information is inadvertently produced, the producing party may, by timely notice, assert the privilege or protection and obtain the return of the materials without waiver.
3. Other Items:
- a. Joining Parties: Within 3 months after the October 12, 2011 Rule 16(b) conference.

- b. Amending Pleadings: Within 3 months after the October 12, 2011 Rule 16(b) conference.
- c. Supplemental Scheduling Conference: The parties request a supplemental scheduling conference with respect to merits discovery, pre-trial conference and trial dates, subsequent to the court's ruling on the anticipated motion for class certification.
- d. Settlement: The parties are currently engaged in ongoing settlement discussions. The parties do not believe that alternative dispute resolution will enhance settlement prospects.

Respectfully submitted,

LEWIS, KING, KRIEG & WALDROP, P.C.

By: /s/ R. Dale Bay
R. Dale Bay, BPR No. 10896
424 Church Street, Suite 2500
P.O. Box 198615
Nashville, TN 37219
(615) 259-1366
dbay@lewisking.com

and

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: /s/ Eric A. Packel
ERIC A. PACKEL
Attorney ID. No. 49776
1845 Walnut Street
Philadelphia, PA 19103
215-575-4554
215-575-0856 (fax)
eapackel@mdwcg.com
(Admitted *Pro Hac Vice*)

Attorneys for Defendant, Verified Person, Inc.

STUMPHAUZER, O'TOOLE, McLAUGHLIN,
McGLAMERY & LOUGHMAN CO., LPA

By: /s/ Matthew A. Dooley
Matthew A. Dooley (OH Bar 0081482)
Dennis M. O'Toole (OH Bar 0003274)
Anthony R. Pecora (OH Bar 0069660)
5455 Detroit Road
Sheffield Village, Ohio 44054
Telephone: (440) 930-4001
Facsimile: (440) 934-7208
Email: mdooley@sheffieldlaw.com
dotoole@sheffieldlaw.com
apecora@sheffieldlaw.com

and

HASSETT & ASSOCIATES, P.A.

By : /s/ Kenneth P. Hassett
Kenneth P. Hassett (FL Bar 910627)
6099 Stirling Road
Suite 217
Davie, Florida 33314-7236
Telephone: (954) 791-3939
Facsimile: (954) 791-3544
Email: khassett@criminaldefense.cc

Attorneys for Jesus Sanchez and the putative class

CERTIFICATE OF SERVICE

I hereby certify that on this the 10th day of October, 2011, a copy of the foregoing Rule 26(f) report was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

BY: /s/ Eric A. Packel
ERIC A. PACKEL
Attorney ID. No. 49776
1845 Walnut Street
Philadelphia, PA 19103
215-575-4554
215-575-0856 (fax)